

1 SENATE BILL 211

2 **48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

3 INTRODUCED BY

4 Cynthia Nava

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7
8 FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

9
10 AN ACT

11 RELATING TO EDUCATION; ENACTING HIGH SCHOOL REFORMS; PROVIDING
12 FOR COLLEGE AND WORKPLACE READINESS; PROVIDING FOR TEACHER AND
13 READINESS ASSESSMENT SYSTEMS; PROVIDING FOR ADDITIONAL
14 REQUIREMENTS FOR TEACHER LICENSURE; PROVIDING FOR PROFESSIONAL
15 DEVELOPMENT; CHANGING HIGH SCHOOL GRADUATION REQUIREMENTS;
16 PROVIDING FOR A MIDDLE AND HIGH SCHOOL LITERACY INITIATIVE;
17 REQUIRING A UNIFORM STUDENT IDENTIFICATION NUMBER FOR PUBLIC
18 SCHOOLS AND PUBLIC POST-SECONDARY EDUCATIONAL INSTITUTIONS;
19 CREATING A STUDENT TEACHER SCHOLARSHIP PROGRAM; CREATING A
20 FUND; RECONCILING MULTIPLE AMENDMENTS TO THE SAME SECTION OF
21 LAW IN LAWS 2005; MAKING APPROPRIATIONS; DECLARING AN
22 EMERGENCY.

23
24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

25 Section 1. Section 22-1-1.2 NMSA 1978 (being Laws 2003,

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1 Chapter 153, Section 2) is amended to read:

2 "22-1-1.2. LEGISLATIVE FINDINGS AND PURPOSE.--

3 A. The legislature finds that no education system
4 can be sufficient for the education of all children unless it
5 is founded on the sound principle that every child can learn
6 and succeed and that the system must meet the needs of all
7 children by recognizing that student success for every child is
8 the fundamental goal.

9 B. The legislature finds further that the key to
10 student success in New Mexico is to have a multicultural
11 education system that:

12 (1) attracts and retains quality and diverse
13 teachers to teach New Mexico's multicultural student
14 population;

15 (2) holds teachers, students, schools, school
16 districts and the state accountable;

17 (3) integrates the cultural strengths of its
18 diverse student population into the curriculum with high
19 expectations for all students;

20 (4) recognizes that cultural diversity in the
21 state presents special challenges for policymakers,
22 administrators, teachers and students; [~~and~~]

23 (5) provides students with a rigorous and
24 relevant high school curriculum that prepares them to succeed
25 in college and the workplace; and

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1 [~~5~~] (6) elevates the importance of public
2 education in the state by clarifying the governance structure
3 at different levels.

4 C. The legislature finds further that the teacher
5 shortage in this country has affected the ability of New Mexico
6 to compete for the best teachers and educational leaders and
7 that, unless the state and school districts find ways to
8 prepare new educators, mentor beginning teachers, intervene
9 with teachers while they still show promise, continuously raise
10 the knowledge and skills of teachers, improve the job
11 satisfaction of quality teachers and elevate the teaching
12 profession by shifting to a professional educator licensing and
13 salary system, public schools will be unable to recruit and
14 retain the highest quality teachers in the teaching profession
15 in New Mexico.

16 D. The legislature finds further that a well-
17 designed, well-implemented and well-maintained assessment and
18 accountability system is the linchpin of public school reform
19 and must ensure that:

- 20 (1) students who do not meet or exceed
21 expectations will be given individual attention and assistance
22 through extended learning programs and individualized tutoring;
23 (2) students have accurate, useful information
24 about their options and the adequacy of their preparation for
25 post-secondary education, training or employment in order to

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1 set and achieve high goals;

2 [~~(2)~~] (3) teachers who do not meet performance
3 standards must improve their skills or they will not continue
4 to be employed as teachers;

5 [~~(3)~~] (4) public schools make adequate yearly
6 progress toward educational excellence; and

7 [~~(4)~~] (5) school districts and the state are
8 prepared to actively intervene and improve failing public
9 schools.

10 E. The legislature finds further that improving
11 children's reading and writing abilities and literacy
12 throughout their years in school must remain a priority of the
13 state.

14 F. The legislature finds further that the public
15 school governance structure needs to change to provide
16 accountability from the bottom up instead of from the top down.
17 Each school principal, with the help of school councils made up
18 of parents and teachers, must be the instructional leader in
19 the public school, motivating and holding accountable both
20 teachers and students. Each local superintendent must function
21 as the school district's chief executive officer and have
22 responsibility for the day-to-day operations of the school
23 district, including personnel and student disciplinary
24 decisions.

25 G. It is the purpose of [~~this~~] the 2003 public

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1 school reform legislation as augmented by this 2007 legislation
2 to provide the framework to implement the legislative findings
3 to ensure student success in New Mexico."

4 Section 2. Section 22-2C-1 NMSA 1978 (being Laws 2003,
5 Chapter 153, Section 10) is amended to read:

6 "22-2C-1. SHORT TITLE.--Chapter 22, Article [2A] 2C NMSA
7 1978 may be cited as the "Assessment and Accountability Act"."

8 Section 3. Section 22-2C-4 NMSA 1978 (being Laws 2003,
9 Chapter 153, Section 13, as amended) is amended to read:

10 "22-2C-4. STATEWIDE ASSESSMENT AND ACCOUNTABILITY
11 SYSTEM--INDICATORS--REQUIRED [~~TESTS~~] ASSESSMENTS--ALTERNATIVE
12 [~~TESTS~~] ASSESSMENTS--LIMITS ON ALTERNATIVES TO ENGLISH LANGUAGE
13 READING TEST.--

14 A. The department shall establish a statewide
15 assessment and accountability system that is aligned with the
16 state academic content and performance standards and that
17 measures adequate yearly progress for each [~~student~~] public
18 school and school district. Adequate yearly progress shall be
19 determined primarily by student academic achievement, as
20 demonstrated by statewide standards-based [~~academic performance~~
21 ~~tests~~] assessments; however, the department may include other
22 indicators of adequate yearly progress, including graduation
23 rates for high schools and attendance for elementary and middle
24 schools.

25 B. The academic assessment program for adequate

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1 yearly progress shall test student achievement as follows [~~by~~
2 ~~the school year indicated~~]:

3 (1) for grades three through [~~nine~~] eight and
4 for grade eleven, standards-based [~~academic performance tests~~]
5 assessments in mathematics, reading and language arts and
6 social studies [~~by the 2005-2006 school year; provided that~~
7 ~~testing in ninth grade and testing in social studies shall not~~
8 ~~occur until the legislature has provided funding for test~~
9 ~~development and implementation~~];

10 (2) for grades three through [~~nine~~] eight, a
11 standards-based [~~academic performance~~] writing assessment with
12 the writing assessment scoring criteria applied to the extended
13 response writing portions of the language arts [~~criterion-~~
14 ~~referenced tests by the 2005-2006 school year~~] standards-based
15 assessments; and

16 (3) for one of grades three through five and
17 six through [~~nine~~] eight and for grade eleven, standards-based
18 [~~academic performance tests~~] assessments in science by the
19 2007-2008 school year.

20 C. The department shall involve appropriate
21 licensed school employees in the development of the standards-
22 based [~~academic performance tests~~] assessments.

23 D. All students shall participate in the academic
24 assessment program. The department shall adopt standards for
25 reasonable accommodations in [~~academic testing~~] standards-based

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1 assessments for students with disabilities and limited English
2 proficiency, including when and how accommodations may be
3 applied. The legislative education study committee shall
4 review the standards prior to adoption by the department.

5 E. Students who have been determined to be limited
6 English proficient may be allowed to take the standards-based
7 [~~academic performance test~~] assessment in their primary
8 language. A student who has attended school for three
9 consecutive years in the United States shall participate in the
10 English language reading [~~test~~] assessment unless granted a
11 waiver by the department based on criteria established by the
12 department. An English language reading [~~test~~] assessment
13 waiver may be granted only for a maximum of two additional
14 years and only on a case-by-case basis."

15 Section 4. A new section of Chapter 22, Article 2C NMSA
16 1978 is enacted to read:

17 "[NEW MATERIAL] STATEWIDE COLLEGE AND WORKPLACE READINESS
18 ASSESSMENT SYSTEM.--

19 A. The department shall establish a readiness
20 assessment system to measure the readiness of every New Mexico
21 high school student for success in higher education or a career
22 no later than the 2008-2009 school year. The department shall
23 ensure that the readiness assessment system is aligned with
24 state academic content and performance standards, college
25 placement tests and entry-level career skill requirements. The

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1 readiness assessment system shall include the following
2 components:

3 (1) a high school readiness assessment in
4 English, reading, mathematics and science in the fall semester
5 of grade nine;

6 (2) a college readiness assessment in English,
7 reading and mathematics in grade ten; and

8 (3) a workplace readiness assessment to assess
9 applied skills in reading, mathematics and locating information
10 in grade eleven.

11 B. All students at the specified grade level shall
12 participate in the readiness assessment system at no cost to
13 the student for the first administration of each assessment.
14 If a student elects to retake any of the assessments, the
15 school district may require the student to pay some or all of
16 the cost of administering that assessment.

17 C. The department shall ensure that results of
18 performance on readiness assessments are reported to students,
19 parents and public schools no later than four weeks following
20 the date on which the assessments are administered, in a form
21 that is easily understandable and useful in the next-step
22 planning process. Reports of assessment results shall be
23 provided to students and parents in writing whenever possible,
24 but, if necessary, orally in the language best understood by
25 each student and parent.

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1 D. The department shall adopt standards for
2 reasonable accommodations in the administration of readiness
3 assessments for students with disabilities and limited English
4 proficiency, including when and how accommodations may be
5 applied.

6 E. In developing or selecting the readiness
7 assessments, the department may adopt commercially available
8 standards-based assessments that meet the requirements of this
9 section. The department shall involve appropriate licensed
10 school employees in the development or selection of readiness
11 assessments."

12 Section 5. Section 22-8-43 NMSA 1978 (being Laws 2000
13 (2nd S.S.), Chapter 14, Section 2, as amended) is amended to
14 read:

15 "22-8-43. PUBLIC SCHOOL READING PROFICIENCY FUND--
16 CREATED.--The "public school reading proficiency fund" is
17 created in the state treasury. The fund shall consist of
18 appropriations, gifts, grants and donations. The fund shall be
19 administered by the department, and money in the fund is
20 appropriated to the department to distribute awards to public
21 middle, junior and senior high schools that implement
22 innovative, scientifically based reading programs. The
23 department shall develop procedures and rules for the
24 application and award of money from the fund, including
25 criteria upon which to evaluate innovative, scientifically

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1 based reading programs. Public schools receiving funds shall
2 show evidence that they are using quality, scientifically based
3 reading research to improve reading proficiency and shall
4 develop individualized reading plans for students who fail to
5 meet grade level reading proficiency standards. Disbursements
6 of the fund shall be made by warrant of the department of
7 finance and administration pursuant to vouchers signed by the
8 [~~state superintendent~~] secretary or the secretary's authorized
9 representative. Any unexpended or unencumbered balance
10 remaining in the fund at the end of any fiscal year shall not
11 revert but shall remain to the credit of the fund."

12 Section 6. Section 22-10A-6 NMSA 1978 (being Laws 1986,
13 Chapter 33, Section 8, as amended) is amended to read:

14 "22-10A-6. EDUCATIONAL REQUIREMENTS FOR LICENSURE.--

15 A. The [~~state board~~] department shall require a
16 person seeking licensure or reciprocity in elementary or
17 secondary education to have completed the following minimum
18 requirements in the college of arts and sciences:

- 19 (1) twelve hours in English;
20 (2) twelve hours in history, including
21 American history and western civilization;
22 (3) six hours in mathematics;
23 (4) six hours in government, economics or
24 sociology;
25 (5) twelve hours in science, including

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1 biology, chemistry, physics, geology, zoology and botany; and

2 (6) six hours in fine arts.

3 B. In addition to the requirements specified in
4 Subsections A and C of this section, the [~~state board~~]
5 department shall require that a person seeking standard or
6 alternative elementary licensure shall have completed six hours
7 of reading courses and that a person seeking standard or
8 alternative secondary licensure shall have completed three
9 hours of reading courses in subject matter content. The [~~state~~
10 ~~board~~] department shall establish requirements that provide a
11 reasonable period of time to comply with the provisions of this
12 subsection.

13 C. Except for licensure by reciprocity, the [~~state~~
14 ~~board~~] department shall require, prior to initial licensure, no
15 less than fourteen weeks of [~~student teaching, a portion of~~]
16 field experience embedded in the core education courses, which
17 shall occur in the first thirty credit hours taken in the
18 college of education and shall be under the direct supervision
19 of a teacher, and [~~a portion of~~] fourteen weeks of student
20 teaching, which shall occur in the student's senior year with
21 the student teacher being directly responsible for the
22 classroom.

23 D. Nothing in this section shall preclude the
24 [~~state board~~] department from establishing or accepting
25 equivalent requirements for purposes of reciprocal licensure or

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1 minimum requirements for alternative licensure.

2 E. Vocational teacher preparatory programs may be
3 exempt from Subsections A through C of this section upon a
4 determination by the [~~state board~~] department that other
5 licensure requirements are more appropriate for vocational
6 teacher preparatory programs."

7 Section 7. Section 22-10A-8 NMSA 1978 (being Laws 2003,
8 Chapter 153, Section 39) is amended to read:

9 "22-10A-8. ALTERNATIVE LEVEL ONE LICENSE.--

10 A. The department shall issue an alternative level
11 one license to a person who is at least eighteen years of age
12 and who has:

13 (1) completed a baccalaureate degree at an
14 accredited institution of higher education, including
15 completion of a minimum of thirty credit hours at either the
16 undergraduate or graduate level in the subject area of
17 instruction for which [~~he~~] the person is applying for a
18 license;

19 (2) completed a master's degree at an
20 accredited institution of higher education, including
21 completion of a minimum of twelve graduate credit hours in the
22 subject area of instruction for which [~~he~~] the person is
23 applying for a license; or

24 (3) completed a doctoral or law degree at an
25 accredited institution of higher education; and

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1 (4) passed the New Mexico teacher assessments
2 examination; and

3 (5) completed a minimum of twelve semester
4 hours of instruction in teaching principles in a program
5 approved by the department; or

6 (6) demonstrated to the department through a
7 portfolio process, in conjunction with the school district or
8 state agency, that ~~[he]~~ the person has met the ~~[state board-~~
9 ~~approved]~~ department-approved competencies for level one
10 teachers that correspond to the grade level that will be
11 taught.

12 B. A degree referred to in Subsection A of this
13 section shall correspond to the subject area of instruction and
14 the particular grade level that will enable the applicant to
15 teach in a competent manner as determined by the department.

16 C. An alternative level one teacher shall
17 participate in the same mentorship, evaluation and other
18 professional development requirements as other level one
19 teachers.

20 D. A school district or state agency shall not
21 discriminate against a teacher on the basis that ~~[he]~~ the
22 teacher holds an alternative level one license.

23 E. The department shall provide by rule for
24 training and other requirements to support the use of
25 unlicensed content area experts as resources in classrooms,

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1 team teaching, on-line instruction, curriculum development and
2 other purposes."

3 Section 8. A new section of Chapter 22, Article 10A NMSA
4 1978 is enacted to read:

5 "[NEW MATERIAL] TEACHER EDUCATION ACCOUNTABILITY REPORT.--

6 A. The department shall:

7 (1) design a uniform statewide teacher
8 education accountability reporting system to measure and track
9 teacher education candidates from pre-entry to post-graduation
10 in order to benchmark the productivity and accountability of
11 New Mexico's teacher work force; provided that the system shall
12 be designed in collaboration with:

13 (a) all public post-secondary teacher
14 preparation programs in New Mexico, including those programs
15 that issue alternative licenses;

16 (b) the teacher preparation programs'
17 respective public post-secondary educational institutions; and

18 (c) the higher education department;

19 (2) require all public post-secondary teacher
20 preparation programs to submit the data required for the
21 uniform statewide teacher education accountability reporting
22 system through the department's student teacher accountability
23 reporting system;

24 (3) use the uniform statewide teacher
25 education accountability reporting system, in conjunction with

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1 the department's student teacher education accountability
2 reporting system, to assess the status of the state's efforts
3 to establish and maintain a seamless pre-kindergarten through
4 post-graduate system of education;

5 (4) adopt the format for reporting the outcome
6 measures of each teacher preparation program in the state; and

7 (5) issue an annual statewide teacher
8 education accountability report.

9 B. The annual teacher education accountability
10 report format shall be clear, concise and understandable to the
11 legislature and the general public. All annual program and
12 statewide accountability reports shall ensure that the privacy
13 of individual students is protected.

14 C. Each teacher preparation program's annual
15 teacher education accountability report shall include the
16 demographic characteristics of the students and the following
17 indicators of program success:

18 (1) the standards for entering and exiting the
19 program;

20 (2) the number of hours required for field
21 experience and for student teaching;

22 (3) the number and percentage of students
23 needing developmental course work upon entering the program;

24 (4) the number and percentage of students
25 completing the program;

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1 (5) the number and types of degrees received
2 by students who complete the program;

3 (6) the number and percentage of students who
4 pass the New Mexico teacher assessments for initial licensure
5 on the first attempt;

6 (7) a description of the program's placement
7 practices; and

8 (8) the number and percentage of students
9 hired by New Mexico school districts.

10 D. The teacher education accountability report
11 shall include an evaluation plan that includes high performance
12 objectives. The plan shall include objectives and measures
13 for:

14 (1) increasing student achievement for all
15 students;

16 (2) increasing teacher retention, particularly
17 in the first three years of a teacher's career;

18 (3) increasing the percentage of students who
19 pass the New Mexico teacher assessments for initial licensure
20 on the first attempt;

21 (4) increasing the percentage of secondary
22 school classes taught in core academic subject areas by
23 teachers who demonstrate by means of rigorous content area
24 assessments a high level of subject area mastery and a thorough
25 knowledge of the state's academic content and performance

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1 standards;

2 (5) increasing the percentage of elementary
3 school classes taught by teachers who demonstrate by means of a
4 high level of performance in core academic subject areas their
5 mastery of the state academic content and performance
6 standards; and

7 (6) increasing the number of teachers trained
8 in math, science and technology.

9 E. In addition to the specifications in Subsections
10 C and D of this section, the annual teacher education
11 accountability report shall also include itemized information
12 on program revenues and expenditures, including staff salaries
13 and benefits and the operational cost per credit hour.

14 F. The annual teacher education accountability
15 report shall be adopted by each public post-secondary
16 educational institution, reported in accordance with guidelines
17 established by the department to ensure effective communication
18 with the public and disseminated to the governor, legislators
19 and other policymakers and business and economic development
20 organizations by November 1 of each year."

21 Section 9. Section 22-10A-9 NMSA 1978 (being Laws 2003,
22 Chapter 153, Section 40, as amended by Laws 2005, Chapter 315,
23 Section 6 and by Laws 2005, Chapter 316, Section 3) is amended
24 to read:

25 "22-10A-9. TEACHER MENTORSHIP PROGRAM FOR LEVEL ONE

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1 TEACHERS--PURPOSE--DEPARTMENT DUTIES.--

2 A. The purpose of the teacher mentorship program is
3 to provide beginning teachers with an effective transition into
4 the teaching field, to build on their initial preparation and
5 to ensure their success in teaching; to improve the achievement
6 of students; and to retain capable teachers in the classroom
7 and to remove teachers who show little promise of success.

8 B. The department shall develop a framework for a
9 teacher mentorship program for all level one teachers. The
10 department shall work with licensed school employees,
11 representatives from teacher preparation programs and the
12 [~~commission on~~] higher education department to establish the
13 framework.

14 C. The framework shall include:

15 (1) individual support and assistance for each
16 beginning teacher from a designated mentor;

17 (2) structured training for mentors;

18 (3) an ongoing, formative evaluation that is
19 used for the improvement of teaching practice;

20 (4) procedures for a summative evaluation of
21 beginning teachers' performance during at least the first three
22 years of teaching, including annual assessment of suitability
23 for license renewal, and for final assessment of beginning
24 teachers seeking level two licensure;

25 (5) support from local school boards, school

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1 administrators and other school district personnel; and

2 (6) regular review and evaluation of the
3 teacher mentorship program.

4 D. The department shall:

5 (1) require submission and approval of each
6 school district's teacher mentorship program;

7 (2) provide technical assistance to school
8 districts that do not have a well-developed teacher mentorship
9 program in place; ~~and~~

10 (3) encourage school districts to collaborate
11 with teacher preparation program administrators at institutions
12 of higher education, career educators, educational
13 organizations, regional service centers and other state and
14 community leaders in the teacher mentorship program; and

15 (4) distribute available funds for mentorship
16 programs to school districts annually on a per-teacher basis
17 according to the number of beginning teachers on the fortieth
18 day of the school year.

19 E. The department shall require that teacher
20 preparation programs collaborate with colleges of arts and
21 sciences and high schools to develop a model to provide
22 mentorship services with structured supervision and feedback to
23 each of their graduates who have obtained a teaching position
24 in a public high school, including charter schools; develop
25 cost estimates; and provide recommendations to the legislative

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1 education study committee by November 1, 2007. The model shall
2 provide for the following:

3 (1) mentorship services for the first year as
4 a level one teacher to each of their graduates who has obtained
5 a teaching position in any New Mexico public high school,
6 including charter schools; provided that teacher preparation
7 programs may enter into contracts or memoranda of agreement
8 with each other or with level three teachers in providing
9 services to their students;

10 (2) an annual report to the department of the
11 number of teachers that have completed each of their programs
12 the previous spring or summer and have been hired by public
13 high schools, including charter schools, for the following
14 school year; and

15 (3) an annual report providing a description
16 of the mentorship services that will be provided to each of
17 their teachers, including the name of the teacher, the grade
18 level the teacher has been hired to teach and the name of the
19 school and district where the teacher has been hired."

20 Section 10. Section 22-10A-19.1 NMSA 1978 (being Laws
21 2004, Chapter 27, Section 25) is amended to read:

22 "22-10A-19.1. PROFESSIONAL DEVELOPMENT--SYSTEMIC
23 FRAMEWORK--REQUIREMENTS--DEPARTMENT DUTIES.--

24 A. The department shall develop a systemic
25 framework for professional development that provides training

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1 to ensure quality teachers, school principals and instructional
2 support providers and that improves and enhances student
3 achievement. The department shall work with licensed school
4 employees, the [~~commission on~~] higher education department and
5 institutions of higher education to establish the framework.

6 B. The framework shall include:

7 (1) the criteria for school districts to apply
8 for professional development funds, including an evaluation
9 component that will be used by the department in approving
10 school district professional development plans; and

11 (2) guidelines for developing extensive
12 professional development activities for school districts that:

13 (a) improve teachers' knowledge of the
14 subjects they teach and [~~the~~] their ability to teach those
15 subjects to all of their students;

16 (b) are an integral part of the public
17 school and school district plans for improving student
18 achievement;

19 (c) provide teachers, school
20 administrators and instructional support providers with the
21 strategies, support, knowledge and skills to help all students
22 meet New Mexico academic standards;

23 (d) are high-quality, sustained,
24 intensive and focused on the classroom; and

25 (e) are developed and evaluated

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1 regularly with extensive participation of school employees and
2 parents.

3 C. The department shall make awards to public
4 schools to provide teachers with release time for targeted
5 site-based professional development consistent with the
6 systemic framework for professional development to address
7 high-priority needs identified by school districts through
8 school district and school educational plans for student
9 success and teachers' professional development plans. Awards
10 shall be funded on a per-hour cost not to exceed twelve hours
11 per teacher per school. A school district or charter school
12 that meets department eligibility requirements may apply to the
13 department for awards. Applications shall be in the form
14 prescribed by the department and shall include the following
15 information:

16 (1) a detailed description of the targeted
17 needs of the public schools based on their plans pursuant to
18 Subsection C of this section;

19 (2) a detailed description of the proposed
20 professional development activities;

21 (3) a detailed budget and a statement of goals
22 and the expected outcomes of the professional development
23 activities; and

24 (4) a plan for evaluating the quality and
25 results of the professional development activities as measured

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1 by the extent to which teachers change their instructional
2 practices to benefit student achievement."

3 Section 11. Section 22-13-1 NMSA 1978 (being Laws 2003,
4 Chapter 153, Section 57, as amended) is amended to read:

5 "22-13-1. SUBJECT AREAS--MINIMUM INSTRUCTIONAL AREAS
6 REQUIRED--ACCREDITATION.--

7 A. The department shall require public schools to
8 address department-approved academic content and performance
9 standards when instructing in specific department-required
10 subject areas as provided in this section. A public school or
11 school district failing to meet these minimum requirements
12 shall not be accredited by the department.

13 B. All kindergarten through third grade classes
14 shall provide daily instruction in reading and language arts
15 skills, including phonemic awareness, phonics and
16 comprehension, and in mathematics. Students in kindergarten
17 and first grades shall be screened and monitored for progress
18 in reading and language arts skills and students in second
19 grade shall take diagnostic tests on reading and language arts
20 skills.

21 C. All first, second and third grade classes shall
22 provide instruction in art, music and a language other than
23 English, and instruction that meets content and performance
24 standards shall be provided in physical education and health
25 education.

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1 D. In fourth through eighth grades, instruction
2 that meets academic content and performance standards shall be
3 provided in the following subject areas:

4 (1) reading and language arts skills, with an
5 emphasis on writing and editing for at least one year and an
6 emphasis on grammar and writing for at least one year;

7 (2) mathematics;

8 (3) language other than English;

9 (4) communication skills;

10 (5) science;

11 (6) art;

12 (7) music;

13 (8) social studies;

14 (9) New Mexico history;

15 (10) United States history;

16 (11) geography;

17 (12) physical education; and

18 (13) health education.

19 E. In eighth grade, algebra 1 shall be offered in
20 regular classroom settings or through on-line courses or
21 agreements with high schools.

22 ~~[E.]~~ F. In fourth through eighth grades, school
23 districts shall offer electives that contribute to academic
24 growth and skill development and provide career and technical
25 education.

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1 [F-] G. In ninth through twelfth grades,
2 instruction that meets academic content and performance
3 standards shall be provided in health education."

4 Section 12. Section 22-13-1.1 NMSA 1978 (being Laws 1986,
5 Chapter 33, Section 5, as amended by Laws 2005, Chapter 314,
6 Section 1 and by Laws 2005, Chapter 315, Section 10) is amended
7 to read:

8 "22-13-1.1. GRADUATION REQUIREMENTS.--

9 A. At the end of grades eight through eleven, each
10 student shall prepare an interim next-step plan that sets forth
11 the coursework for the grades remaining until high school
12 graduation. Each year's plan shall explain any differences
13 from previous interim next-step plans, shall be filed with the
14 principal of the student's high school and shall be signed by
15 the student, the student's parent and the student's guidance
16 counselor or other school official charged with coursework
17 planning for the student.

18 B. Each student must complete a final next-step
19 plan during the senior year and prior to graduation. The plan
20 shall be filed with the principal of the student's high school
21 and shall be signed by the student, the student's parent and
22 the student's guidance counselor or other school official
23 charged with coursework planning for the student.

24 C. An individualized education program that meets
25 the requirements of Subsections A and B of this section and

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1 that meets all applicable transition and procedural
2 requirements of the federal Individuals with Disabilities
3 Education Act for a student with a disability shall satisfy the
4 next-step plan requirements of this section for that student.

5 D. A local school board shall ensure that each high
6 school student has the opportunity to develop a next-step plan
7 based on reports of college and workplace readiness assessments
8 and other factors and is reasonably informed about:

9 (1) curricular and course options, including
10 honors or advanced college placement courses, dual-credit
11 courses, distance learning courses, career clusters or
12 remediation programs that the college and workplace readiness
13 assessments indicate to be appropriate;

14 (2) opportunities available that lead to
15 different post-high-school options; and

16 (3) alternative opportunities available if the
17 student does not finish a planned curriculum.

18 E. The secretary shall:

19 (1) establish specific accountability
20 standards for administrators, counselors, teachers and school
21 district staff to ensure that every student has the opportunity
22 to develop a next-step plan;

23 (2) promulgate rules for accredited private
24 schools in order to ensure substantial compliance with the
25 provisions of this section;

1 (3) monitor compliance with the requirements
2 of this section; and

3 (4) compile such information as is necessary
4 to evaluate the success of next-step plans and report annually,
5 by December 15, to the legislative education study committee
6 and the governor.

7 F. Successful completion of a minimum of twenty-
8 three units aligned to the state academic content and
9 performance standards shall be required for graduation. These
10 units shall be as follows:

11 (1) four units in English, with major emphasis
12 on grammar and literature;

13 (2) three units in mathematics, at least one
14 of which is equivalent to the algebra 1 level or higher;

15 (3) two units in science, one of which shall
16 have a laboratory component; provided, however, that with
17 students entering the ninth grade beginning in the 2005-2006
18 school year, three units in science shall be required, one of
19 which shall have a laboratory component;

20 (4) three units in social science, which shall
21 include United States history and geography, world history and
22 geography and government and economics;

23 (5) one unit in physical education;

24 (6) one unit in communication skills or
25 business education, with a major emphasis on writing and

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1 speaking and that may include a language other than English;

2 (7) one-half unit in New Mexico history for
3 students entering the ninth grade beginning in the 2005-2006
4 school year; and

5 (8) nine elective units and seven and one-half
6 elective units for students entering the ninth grade in the
7 2005-2006 school year that meet department content and
8 performance standards. Student service learning shall be
9 offered as an elective.

10 G. For students entering the ninth grade beginning
11 in the 2009-2010 school year, at least one of the units
12 required for graduation shall be earned as an advanced college
13 placement or honors course, a dual-credit course offered in
14 cooperation with an institution of higher education or a
15 distance learning course.

16 [~~G.~~] H. The department shall establish a procedure
17 for students to be awarded credit through completion of
18 specified career technical education courses for certain
19 graduation requirements.

20 I. Successful completion of the requirements of the
21 New Mexico diploma of excellence shall be required for
22 graduation for students entering the ninth grade beginning in
23 the 2009-2010 school year, unless a student has written, signed
24 permission from the student's parent to be exempt from the
25 requirement of this subsection. Successful completion of a

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1 minimum of twenty-four units aligned to the state academic
2 content and performance standards shall be required to earn a
3 New Mexico diploma of excellence. These units shall be as
4 follows:

5 (1) four units in English, with major emphasis
6 on grammar, nonfiction writing and literature;

7 (2) four units in mathematics, at least one of
8 which is equivalent to the level of algebra 2 or higher;

9 (3) three units in science, two of which shall
10 have a laboratory component;

11 (4) three and one-half units in social
12 science, which shall include United States history and
13 geography, world history and geography and government and
14 economics, and one-half unit of New Mexico history;

15 (5) two units in a language other than
16 English;

17 (6) one unit in physical education;

18 (7) one unit in communication skills or
19 business education, with a major emphasis on writing and
20 speaking, which may include a language other than English; and

21 (8) five and one-half elective units that meet
22 department content and performance standards. Student service
23 learning shall be offered as an elective.

24 [H.] J. Final examinations shall be administered to
25 all students in all classes offered for credit.

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1 ~~[F.]~~ K. Until July 1, 2010, a student ~~[shall not~~
2 ~~receive a high school diploma]~~ who has not passed a state
3 graduation examination in the subject areas of reading,
4 English, mathematics, writing, science and social science shall
5 not receive a high school diploma. The state graduation
6 examination on social science shall include a section on the
7 constitution of the United States and the constitution of New
8 Mexico. If a student exits from the school system at the end
9 of grade twelve without having passed a state graduation
10 examination, the student shall receive an appropriate state
11 certificate indicating the number of credits earned and the
12 grade completed. If within five years after a student exits
13 from the school system the student takes and passes the state
14 graduation examination, the student may receive a high school
15 diploma.

16 L. Beginning with the 2010-2011 school year, a
17 student shall not receive a high school diploma if the student
18 has not demonstrated competence in the subject areas of
19 mathematics, reading and language arts, writing, social studies
20 and science, including a section on the constitution of the
21 United States and the constitution of New Mexico, based on a
22 standards-based assessment or assessments or a portfolio of
23 standards-based indicators established by the department by
24 rule no later than January 15, 2008. If a student exits from
25 the school system at the end of grade twelve without having

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1 satisfied the requirements of this subsection, the student
2 shall receive an appropriate state certificate indicating the
3 number of credits earned and the grade completed. If within
4 five years after a student exits from the school system the
5 student satisfies the requirement of this subsection, the
6 student may receive a high school diploma.

7 [~~J.~~] M. As used in this section:

8 (1) "final next-step plan" means a next-step
9 plan that shows that the student has committed or intends to
10 commit in the near future to a four-year college or university,
11 a two-year college, a trade or vocational program, an
12 internship or apprenticeship, military service or a job;

13 (2) "interim next-step plan" means an annual
14 next-step plan in which the student specifies post-high-school
15 goals and sets forth the coursework that will allow the student
16 to achieve those goals; and

17 (3) "next-step plan" means an annual personal
18 written plan of studies developed by a student in a public
19 school or other state-supported school or institution in
20 consultation with the student's parent and school counselor or
21 other school official charged with coursework planning for the
22 student, including advanced college placement or honors
23 courses, dual-credit courses offered in cooperation with an
24 institution of higher education and distance learning courses.

25 [~~K.~~] N. The secretary may establish a policy to

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1 provide for administrative interpretations to clarify
2 curricular and testing provisions of the Public School Code."

3 Section 13. Section 22-13-1.4 NMSA 1978 (being Laws 2005,
4 Chapter 78, Section 1) is amended to read:

5 "22-13-1.4. HONORS OR SIMILAR CLASSES IN MATHEMATICS AND
6 LANGUAGE ARTS.--Beginning with the 2006-2007 school year, each
7 school district shall offer at least one honors or similar
8 academically rigorous class each in mathematics and language
9 arts in each high school. Beginning in the 2008-2009 school
10 year, each school district shall also offer a program of
11 courses for dual-credit, in cooperation with an institution of
12 higher education, and a program of distance learning courses."

13 Section 14. Section 22-13-1.5 NMSA 1978 (being Laws 2005,
14 Chapter 300, Section 1) is amended to read:

15 "22-13-1.5. CORE CURRICULUM FRAMEWORK--PURPOSE--
16 CURRICULUM.--

17 A. School districts and charter schools may create
18 core curriculum frameworks to provide high quality curricula in
19 kindergarten through grade six to prepare students for pre-
20 advanced placement and advanced placement coursework in grades
21 seven through twelve.

22 B. The framework shall include:

23 (1) a curriculum that is aligned with state
24 academic content and performance standards and that is
25 challenging, specific as to content and sequential from grade

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1 to grade, similar to a core curriculum sequence;

2 (2) in-depth professional development for
3 teachers that includes vertical teaming in content areas; and

4 (3) content, materials and instructional
5 strategies or methodologies that current research demonstrates
6 are likely to lead to improved student achievement in pre-
7 advanced placement and advanced placement coursework in grades
8 seven through twelve.

9 C. The framework may be selected from previously
10 developed curricula or may be developed by the school district
11 or charter school.

12 D. A school district or charter school that meets
13 department eligibility requirements may apply to [~~the~~
14 ~~department~~] eastern New Mexico university for support of its
15 core curriculum framework. Applications shall be in the form
16 prescribed by the [~~department~~] university and shall include the
17 following information:

18 (1) a statement of need;

19 (2) goals and expected outcomes of the
20 framework;

21 (3) a detailed description of the curriculum
22 to be implemented;

23 (4) a detailed work plan and budget for the
24 framework;

25 (5) documentation of the research upon which

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1 the anticipated success of the framework is based;

2 (6) a description of any partnership proposed
3 to implement the framework, supported by letters of commitment
4 from the partner;

5 (7) an evaluation plan; and

6 (8) any other information that the
7 ~~[department]~~ university requires.

8 E. The ~~[department]~~ university shall award grants
9 within ninety days of the deadline for receipt of grant
10 applications based on a competitive process in response to a
11 request for proposals.

12 ~~[F. The department shall adopt and promulgate~~
13 ~~rules to implement the provisions of this section.]"~~

14 Section 15. A new section of the Public School Code is
15 enacted to read:

16 "[NEW MATERIAL] MIDDLE AND HIGH SCHOOL LITERACY
17 INITIATIVE.--

18 A. School districts and charter schools may
19 create comprehensive, coordinated middle and high school
20 literacy initiatives to provide scientifically based literacy
21 programs to improve the reading and writing proficiency of
22 students in grades six through twelve.

23 B. The design of a middle and high school
24 literacy initiative shall be based upon scientific research
25 that shows that using the methods and materials proposed is

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1 effective in improving reading proficiency beyond the primary
2 grades and shall include, at a minimum:

- 3 (1) instruction in nonfiction writing;
- 4 (2) ongoing teacher and school administrator
5 professional development equal to that which was validated in
6 the supporting research;
- 7 (3) use of student assessment data to guide
8 and individualize instruction; and
- 9 (4) a rigorous and thorough evaluation
10 component.

11 C. A middle and high school literacy initiative
12 shall also incorporate some or all of the following elements:

- 13 (1) direct, explicit comprehension
14 instruction;
- 15 (2) teacher teams, including language arts
16 and content area instructors who implement mutually
17 reinforcing practices;
- 18 (3) strategies to encourage motivation and
19 self-directed learning;
- 20 (4) text-based collaborative learning by
21 groups of students;
- 22 (5) strategic tutoring;
- 23 (6) diverse texts;
- 24 (7) a technology component; and
- 25 (8) extended time for literacy.

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1 D. School districts and charter schools that meet
2 department eligibility requirements may apply to the
3 department for awards from the public school reading
4 proficiency fund for support for their middle and high school
5 literacy initiatives. Applications shall be in a form
6 prescribed by the department."

7 Section 16. A new section of Chapter 21, Article 1 NMSA
8 1978 is enacted to read:

9 "[NEW MATERIAL] PUBLIC POST-SECONDARY EDUCATIONAL
10 INSTITUTIONS--STUDENT IDENTIFICATION NUMBER.--

11 A. The higher education department shall, in
12 collaboration with public post-secondary educational
13 institutions, use the same student identification number
14 issued to a New Mexico public school student pursuant to
15 Section 22-2C-11 NMSA 1978 for a student enrolled in a public
16 post-secondary educational institution, including an
17 off-campus instructional program or learning center.

18 B. In collaboration with the public education
19 department, the higher education department shall:

20 (1) develop a system for assigning a unique
21 student identifier to a student who did not attend a New
22 Mexico public school;

23 (2) add an additional identifier to the
24 student identification number for those students who enter a
25 teacher preparation program; and

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1 (3) adopt the format to report individual
2 student data into the public education department's student
3 teacher accountability reporting system.

4 C. The higher education department shall
5 promulgate rules to carry out the provisions of this
6 section."

7 Section 17. A new section of Chapter 21 NMSA 1978 is
8 enacted to read:

9 "[NEW MATERIAL] STUDENT TEACHER SCHOLARSHIP PROGRAM.--

10 A. To encourage individuals to enter and complete
11 teacher preparation programs and to remain teachers in New
12 Mexico, the higher education department shall promulgate
13 rules to establish and administer a needs-based scholarship
14 program for students during student teaching.

15 B. In establishing the program, the higher
16 education department shall:

17 (1) develop standardized methods to identify
18 eligible student teachers and to distribute money to
19 accredited teacher training institutions;

20 (2) verify that recipients are employed as
21 full-time teachers in a public school setting for at least
22 one year after completion of student teaching;

23 (3) develop criteria for selection of
24 scholarship recipients, which shall include academic
25 performance, campus involvement, letters of recommendation

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1 and personal commitment to the teaching profession;

2 (4) pay full tuition for recipients for
3 those semesters in which they are full-time student teachers;
4 and

5 (5) ensure recipients comply with all rules
6 adopted by the department for the scholarship program."

7 Section 18. A new section of Chapter 21 NMSA 1978 is
8 enacted to read:

9 "[NEW MATERIAL] STUDENT TEACHER SCHOLARSHIP FUND.--The
10 "student teacher scholarship fund" is created in the state
11 treasury. Money in the fund shall not revert at the end of
12 any fiscal year. The fund consists of appropriations, income
13 from investment of the fund, gifts, grants, donations and
14 bequests. The fund shall be administered by the higher
15 education department, and money in the fund is appropriated
16 to the department for student teacher scholarships.

17 Disbursements from the fund shall be made upon warrants drawn
18 by the secretary of finance and administration pursuant to
19 vouchers signed by the secretary of higher education or the
20 secretary's authorized representative. The department shall
21 use no more than three percent in any fiscal year for
22 administration of the fund."

23 Section 19. APPROPRIATIONS.--

24 A. Seventy-five thousand dollars (\$75,000) is
25 appropriated from the general fund to the legislative

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1 education study committee for expenditure in fiscal years
2 2007 and 2008 to participate in a formal process of aligning
3 New Mexico high school academic content and performance
4 standards, curricula and end-of-course tests in English and
5 mathematics with placement examinations and standards for
6 freshman entry-level courses for degree credit in those
7 subjects at state public post-secondary educational
8 institutions. The legislative education study committee
9 shall collaborate with the public education department and
10 representatives of public schools, the higher education
11 department and representatives of public post-secondary
12 educational institutions, tribal educators and the business
13 community to accomplish this alignment. Any unexpended or
14 unencumbered balance remaining at the end of fiscal year 2008
15 shall revert to the general fund.

16 B. Eleven million seven hundred eighty thousand
17 dollars (\$11,780,000) is appropriated from the general fund
18 to the public education department for expenditure in fiscal
19 years 2007 and 2008 to be allocated as follows, and any
20 unexpended or unencumbered balance remaining at the end of
21 fiscal year 2008 shall revert to the general fund:

22 (1) nine million six hundred thousand
23 dollars (\$9,600,000) to award to public schools to provide
24 release time for targeted, site-based teacher professional
25 development to address high-priority needs identified by

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1 school districts, by school educational plans for success and
2 by teachers' professional development plans. Awards shall be
3 funded on a per-hour cost not to exceed twelve hours per
4 teacher per school;

5 (2) one million five hundred thousand
6 dollars (\$1,500,000) to train school principals and staff
7 teams to be executive turnaround specialists for
8 low-performing schools. The goals of this program are to
9 provide technical assistance to school district staff and to
10 build administrative leadership capacity in order to improve
11 student achievement in a systemic reform process; and

12 (3) six hundred eighty thousand dollars
13 (\$680,000) for two term positions and data-sharing
14 infrastructure costs associated with receiving student data
15 from public post-secondary educational institutions,
16 including teacher preparation programs, into the department's
17 student teacher accountability reporting system.

18 C. Three million dollars (\$3,000,000) is
19 appropriated from the general fund to the public school
20 reading proficiency fund for fiscal years 2007 and subsequent
21 fiscal years to carry out the purposes of the fund. Any
22 unexpended or unencumbered balance remaining in the fund at
23 the end of any fiscal year shall not revert but shall remain
24 to the credit of the fund.

25 D. Nine million seven hundred eighty thousand

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1 dollars (\$9,780,000) is appropriated from the general fund to
2 the higher education department for expenditure in fiscal
3 years 2007 and 2008 to be allocated as follows, and any
4 unexpended or unencumbered balance remaining at the end of
5 fiscal year 2008 shall revert to the general fund:

6 (1) three million dollars (\$3,000,000) to
7 partner with the public education department, the office of
8 workforce training and development, representatives of
9 business and others to conduct a marketing and outreach
10 campaign that targets New Mexicans of all ages to create a
11 sense of urgency about completing high school and pursuing
12 post-secondary educational opportunities, emphasizing career
13 clusters. A program evaluation, including specific program
14 goals, criteria for assessing program effectiveness and an
15 assessment of how the program benefits the state, shall be
16 prepared and submitted to the legislative education study
17 committee and the legislative finance committee by October 1,
18 2007;

19 (2) three million dollars (\$3,000,000) to
20 partner with the public education department, the office of
21 workforce training and development, trade organizations and
22 public schools to develop curricula to support career cluster
23 programs in critical areas of unmet needs, including
24 agriculture, so that the educational system at the secondary
25 and post-secondary levels can respond with meaningful

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1 programs to prepare job seekers with necessary skills. A
2 program evaluation, including specific program goals,
3 criteria for assessing program effectiveness and an
4 assessment of how the program benefits the state, shall be
5 prepared and submitted to the legislative education study
6 committee and the legislative finance committee by October 1,
7 2007;

8 (3) five hundred thousand dollars (\$500,000)
9 to partner with the labor department and the office of
10 workforce training and development to adopt or develop a
11 workforce forecast model. The model shall match projected
12 future worker demand with potential job seekers from
13 educational programs and other sources, grouped by
14 occupation, skill, career cluster and education, resulting in
15 an internet-based career information delivery system for use
16 by planners, students, counselors and job seekers. A program
17 evaluation, including specific program goals, criteria for
18 assessing program effectiveness and an assessment of how the
19 program benefits the state, shall be prepared and submitted
20 to the legislative education study committee and the
21 legislative finance committee by October 1, 2007;

22 (4) one hundred thousand dollars (\$100,000)
23 to partner with the children, youth and families department
24 and the office of workforce training and development for a
25 demonstration project to develop and pilot life-skills

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1 training for eighteen- to twenty-one-year-old persons who
2 have aged out of the foster care system. The project intends
3 to better prepare these eighteen- to twenty-one-year-old
4 persons to find employment and become self-sufficient. A
5 program evaluation, including specific program goals,
6 criteria for assessing program effectiveness and an
7 assessment of how the program benefits the state, shall be
8 prepared and submitted to the legislative education study
9 committee and the legislative finance committee by October 1,
10 2007;

11 (5) five hundred thousand dollars (\$500,000)
12 to partner with the office of workforce training and
13 development for a one-time career readiness certificate
14 demonstration project based on skill areas to pay for student
15 assessment and remedial training. The project shall become
16 self-sustaining after year one and shall aim to better
17 prepare New Mexico students for entry into the work force.
18 The career readiness certificate will provide recognition of
19 the training students have undergone and attest to their
20 competence in a skill area. A program evaluation, including
21 specific program goals, criteria for assessing program
22 effectiveness and an assessment of how the program benefits
23 the state, shall be prepared and submitted to the legislative
24 education study committee and the legislative finance
25 committee by October 1, 2007;

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1 (6) two million dollars (\$2,000,000) to
2 support the expansion and improvement of educator preparation
3 field-experience courses at public post-secondary educational
4 institutions statewide. The department shall allocate these
5 funds based on enrollment in field-experience courses among
6 two- and four-year institutions that prepare educators and
7 instructional support providers for licensure by expanding
8 and improving field experiences prior to student teaching, by
9 providing supervision training for cooperating teachers and
10 their administrators and by establishing a model of shared
11 responsibility between the teacher preparation programs and
12 the public schools. The funds shall be used to supplement
13 institutional funds allocated for field-experience programs;
14 and

15 (7) six hundred eighty thousand dollars
16 (\$680,000) for two term positions and data-sharing
17 infrastructure costs in order to report student data from
18 public post-secondary educational institutions, including
19 teacher preparation programs, into the public education
20 department's student teacher accountability reporting system.

21 E. Five hundred thousand dollars (\$500,000) is
22 appropriated from the general fund to the student teacher
23 scholarship fund for expenditure in fiscal years 2007 and
24 subsequent fiscal years to make awards for student teacher
25 scholarships. Any unexpended or unencumbered balance

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1 remaining at the end of a fiscal year shall not revert to the
2 general fund.

3 F. Two hundred fifty thousand dollars (\$250,000)
4 is appropriated from the general fund to the board of regents
5 of New Mexico state university for expenditure in fiscal year
6 2008 for the school of hotel restaurant tourism management to
7 implement a statewide hospitality and tourism education
8 initiative in public schools throughout the state. Any
9 unexpended or unencumbered balance remaining at the end of
10 fiscal year 2008 shall revert to the general fund.

11 Section 20. EFFECTIVE DATE.--The effective date of the
12 provisions of Sections 1 through 17 of this act is July 1,
13 2007.

14 Section 21. EMERGENCY.--It is necessary for the public
15 peace, health and safety that this act take effect
16 immediately.